



# Flathead County

## Planning & Zoning

1035 1<sup>st</sup> Ave W, Kalispell, MT 59901  
Telephone 406.751.8200 Fax 406.751.8210

JAN 8 2006

### **PETITION FOR ZONING AMENDMENT**

*Submit this application, all required information, and appropriate fee (see current fee schedule) to the Planning & Zoning office at the address listed above.*

**FEE ATTACHED \$**917.50

#### **APPLICANT/OWNER:**

1. Name: Albert Clarke Phone: 406/250-3942
2. Mail Address: 629 Alpine Drive
3. City/State/Zip: Kalispell, MT 59901
4. Interest in property: Applicant

**Check which applies:**



Map Amendment



Text Amendment:

#### **TECHNICAL/PROFESSIONAL PARTICIPANTS:**

Name: Sands Surveying, Inc C/o Erica Wirtala Phone: 406/249-9774  
Mailing Address: 2 Village Loop  
City, State, Zip: Kalispell, MT 59901  
Email: erica@sandssurveying.com

**IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE TEXT OF THE ZONING REGULATIONS, PLEASE COMPLETE THE FOLLOWING:**

- A. What is the proposed zoning text/map amendment?

**IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE ZONING MAP PLEASE COMPLETE THE FOLLOWING:**

- A. Address of the property: 6291/2 Alpine Drive, Kalispell

- B. Legal Description: Tract 5JA in Section 27-29-21  
(Lot/Block of Subdivision or Tract #)

Section        Township        Range        (Attach sheet for metes and bounds)

- C. Total acreage: 1.5

- D. Zoning District: Evergreen Zoning District

- E. The present zoning of the above property is: R-1

- F. The proposed zoning of the above property is: R-2

- G. State the changed or changing conditions that make the proposed amendment necessary: The property owner would like to split off an existing shop building and sell it.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**THE FOLLOWING ARE THE CRITERIA BY WHICH ZONING AMENDMENTS ARE REVIEWED. PLEASE PROVIDE A RESPONSE AND DETAILED EXPLANATION FOR EACH CRITERION FOR CONSIDERATION BY THE PLANNING STAFF, PLANNING BOARD, AND COMMISSIONERS.**

1. Is the proposed amendment in accordance with the Growth Policy/Neighborhood Plan?
2. Is the proposed amendment designed to:
  - a. Secure safety from fire and other dangers?
  - b. Promote public health, public safety and the general welfare?
  - c. Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?
3. Does the proposed amendment consider:
  - a. The reasonable provision of adequate light and air?
  - b. The effect on motorized and non-motorized transportation systems?
  - c. Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities?
  - d. The character of the district and its peculiar suitability for particular uses?
  - e. Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area?
4. Is the proposed amendment, as nearly as possible, compatible with the zoning ordinances of nearby municipalities?

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*The signing of this application signifies approval for the Flathead County Planning & Zoning staff to be present on the property for routine monitoring and inspection during approval process.*

James L. Ruggles  
Owner/Applicant Signature(s)

3-2-16  
Date

## **Addendum to Clarke/Ruggles Zoning Application:**

### **1. Is the proposed amendment in accordance with the Growth Policy/Neighborhood Plan?**

*The subject property of the proposed map amendment falls within the jurisdiction of the Kalispell City County Master Plan, which designates this area for residential use. When there is no Neighborhood Plan or it is not designated by any other Master Plan, the Kalispell City County Master Plan is utilized.*

### **2. Is the proposed amendment designed to:**

#### **a. Secure safety from fire and other dangers?**

*The subject property is within the boundaries of the Evergreen Fire District, which is a short two miles down the road. Setbacks and minimum lot sizes allow for safe development of the existing property and surrounding properties.*

#### **b. Promote public health, public safety and the general welfare?**

*The requested change is from an R-1 designation to an R-2 designation, which is similar in almost every item except for minimum lot size (one acre minimum lot size to a half-acre lot size). There are still required setbacks to be met, permitted uses and conditional uses that restrict the types of development permitted on the lot, and sanitation standards that must be met.*

#### **c. Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?**

*The subject property lies within a well-developed area of the County. There are existing paved local roads to facilitate safe travel. There is an adequate supply of water available for private wells. Soils, geology and topography are favorable for sanitation facilities to be installed on the subject property. The Helena Flats Elementary School is a short distance away, with some walking trails available for students to use. County and neighborhood parks are also just a short walk or bike ride to access. The immediate area is zoned R-2, so this zone change amendment is an extension of an existing zone and consistent with the character of the existing neighborhood.*

### **3. Does the proposed amendment consider:**

#### **a. The reasonable provision of adequate light and air?**

*With the application of the R-2 zoning designation, there will be required minimum setbacks and building height requirements for both the principal and accessory structures. There are minimum lot area standards, minimum lot width standards as well as permitted lot coverages. Yes, there is reasonable provision for adequate light and air.*

#### **b. The effect on motorized and non-motorized transportation systems?**

*The subject property is located within an established neighborhood with a local road (Alpine Drive), which then directs traffic to East Reserve, which is a collector road. Driving East Reserve a short distance takes you to Highway 2, which is a major north-south arterial road, allowing for four lane, high speed*

travel to Columbia Falls and Whitefish, or south into Kalispell. This proposed zone change, as it only is proposed on 1.5 acres of property will have minimal effect on the existing transportation system. The intersection of East Reserve and Highway 2 has been problematic for many years and it is on the MDOT list of projects to improve. As there is an existing home on the property, and if the zone change amendment is successful, only one additional home would be built. There are numerous non-motorized bike/ped paths in the area that are already in existence, or to be completed with proposed development in the area. These paths go to the Helena Flats school and to the County park. There is a trail plan for the area and bit by bit, it is being implemented.

**c. Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities?**

*This proposal is compatible with the urban growth in the general area. This is an in-fill project in an established neighborhood. The property is served by a public water facility. (Evergreen Water District). Evergreen has been a bedroom community of Kalispell, and has areas of development that are similar in density to that of its neighboring municipality. This is a compatible proposal.*

**d. The character of the district and its peculiar suitability for particular uses?**

*The R-2 zone is very similar to the existing R-1 zone in terms of use and compatibility with the existing neighborhood. This is an extension of the R-2 zoning district boundaries, so with the approval of this zone change proposal, the property will become even more in character with the district and its surroundings. The subject property is located within a residential neighborhood, and the proposed change is compatible with character of that neighborhood.*

**e. Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area?**

*As this is an in-fill project, it is encouraging the most appropriate use of the land within the Evergreen Zoning District. There is an existing home on the property and if the zoning amendment is successful, a second home will be built (after making an application for and receiving approval of a major subdivision). It is in the best interest of the existing homeowner, and beneficial to the new homeowner, to build and maintain a home that conserves the value of their own buildings as well as those of their neighbors.*

**4. Is the proposed amendment, as nearly as possible, compatible with the zoning ordinances of nearby municipalities?**

*Yes, the City of Kalispell is the nearest municipality, and it also has an R-2 zoning designation with similar lot sizes, bulk and dimensional requirements, and similar permitted/conditional uses. This zone change requirement for the County R-2 zoning designation is similar to the City of Kalispell's R-2 zoning designation.*



Rock Dr

Pebble Dr

Alpine Ln

Stone St

Helena Flats Rd

Cedar Dr

Broken Wheel Loop

E Reserve



By: SANDS SURVEYING, Inc.  
2 Village Loop  
Kalispell, MT 59901  
(406) 755-6481

JOB NO: 443301  
DATE: February 11, 2016  
FOR: ALBERT CLARKE  
OWNER: JAMES L. RUGGLES

Vicinity Map Of  
**SUBDIVISION No. 292**

SE1/4SW1/4 SEC. 27, T.29N., R.21W., P.M.,M.,  
FLATHEAD COUNTY, MONTANA

SCALE : 1" = 500'  
500' 250' 0 500' 1000'

